

Indian Feminisms Concepts and Issues
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Lecture-18
Theorising Violence Domestic Violence

Hello everyone, in the previous lecture we talked about feminist movements against dowry and dowry deaths. We saw that women's organizations sought to eradicate dowry related violence both through social awareness and legal means. Through the work done by feminist organizations in Delhi and Bombay we also learned about the stigmatized condition of women who were battered women, women who had left their homes, who had been abandoned by their husbands and so on.

So, the question of dowry expanded to larger issues faced by women that of the public private binary, propertylessness, ownership and so on. Dowry related cases highlighted that violence on women within the household was not a private matter; it was in fact a public matter which was related to power relations. If you have any questions regarding the earlier lecture, you can go back and take a look.

In today's lecture we will talk about the domestic violence. Now at this point you may ask why have a separate lecture on domestic violence is doubting not a form of domestic violence? Now Flavia Agnes a noted feminist distinguishes domestic violence from dowry related violence by seeing the period of domesticity at large. In the sense that women whether married or not face violence within the domestic sphere which need not always arise from demands of dowry.

The implication is that women are not safe within the home, irrespective of their marital status. Now to challenge domestic violence against women feminist groups in India took similar route as the anti-dowry movements. Social awareness combined with legal reforms. A significant aspect of such awareness was the popularization of legal manuals on domestic violence written in simple language.

For example, the organization called lawyers collective wrote what a battered woman can do? If you fear that your husband might hurt you or your children you should leave, you can stay with your parents' other relatives or a friend, it is not a good idea to stay with a married man

as this may lead to allegations of adultery which could affect a court's ruling on child custody or maintenance.

Take as many of your possessions as you can if anything is left behind take along a few friends and get them back. Women's organizations too can help by providing women who will be happy to accompany you if you go back to your home. This advice is significant for two reasons. First it provides a practical guideline for women to follow, in Indian society as we have mentioned in the earlier lecture women being vocal about their oppression in the domestic sphere is considered to be highly stigmatizing.

Radha Kumar mentions how domestic violence was a common aspect in the households of the socially politically elite members of the communist and left parties. The Indian Brahmanical tradition continues to uphold the Notions of a Pativrata woman. This reverential reference fixes the image of an obedient ideal wife for all women to follow. Moreover, as Gangoli mentions these traditions were adopted by communities which otherwise did not practice them due to their aspirational status.

Secondly the lawyer's collective's statement or advice also provides a very enlightening situation for women in terms of the legal implications of their actions in the time of need. As mentioned earlier the women's organizations faced practical problems of tackling with the situations of women who were suddenly without any protection of a man. In such scenarios these kinds of pamphlets provided women at least with the preliminary idea of the steps to be taken.

Most importantly women's groups are projected as alternative spaces which empower women in the course of their struggles. As the lawyers' group says a woman's group is a useful place to turn to, they can help you to assert your rights by accompanying you to your home if you feel threatened. The important thing to remember is that you need not be alone. While analyzing domestic violence it is very important to talk about the people involved in the execution of such kind of violence.

One can famously recall the numerous television serials and films that depict the quarreling mothers-in-law and daughters-in-law, the quarreling sisters-in-law versus daughters-in-law and so on. Now the question however remains as to why do we primarily see quarrels between the

female members in a family and not the male members? Well, the answers to this lies in the concept of virilocality. So, what is virilocality?

Simply put the term virilocality refers to the social system in which a woman relocates to the husband's house after marriage. Such systems generally imply women cutting ties with their natal home after marriage and live with the ethanol kin. Now in a patriarchal patrilineal social structure women do not have any identity as an individual. As I had mentioned in the earlier lecture women's identity is primarily associated to men.

Thus, we see them in fixed roles as daughters, wives and mothers. One classic example of how women are denied individuality is in the way they are made to change their surnames after marriage. In such conditions women draw power from men. This equation becomes complicated amongst the mothers-in-law and daughters-in-law. In terms of who has more say in the decision-making process within the domestic sphere?

Noted feminist Madhu Kishwar writes on this aspect as a mother-son syndrome where a woman's status as a maternal figure is considered more important than that of a wife Kishwar writes relationships with children are considered far more dependable enduring and fulfilling. This may be related to the fact that while as a wife a woman is expected to serve and surrender as a mother, she is allowed the right to both nurture and dominate and is supposed to be venerated unconditionally.

She can expect obedience, love and Sewa or service from her children especially sons even after they grow up. Unconditional giving brings in its own ample rewards. In her role as a mother, she is culturally far more glorified and also in a higher level than the wife. Let us go back to the story ancient promises once again. The relationship between the daughter-in-law Janu and the mother-in-law is extremely political.

We need to notice that this tussle happens primarily in the patriarchal family. We have seen that the tussle is for powers since neither the mother-in-law nor the daughter-in-law as female members have power originally within themselves. Their power is often derived in the sense that they need to influence the influential male members in the family to get influence within the family.

In an extended patriarchal family where the daughter-in-law and the mother-in-law stay together this tussle for power is quite common. Male members do not need to fight with each other because they always have the freedom and power to make decisions. The powerless ones are the female ones in the family; they are the ones who will have to fight for power. Janu says on her own in the story.

When the mother-in-law scolds her, she talks about the importance of drawing more power from her husband by influencing him. Now some of the lines I can read out for you. So, in the story ancient promises it says I also knew by now that I was going to need an ally to fend off the many shafts that were undoubtedly going to be heading my way. He was the obvious choice to be that ally.

The issue happens when they stay together in the same household. Now it is not to say that it is the sole reason for all fights between the mother-in-law and the daughter-in-law. The point that I should be emphasizing is this is often the root cause of the fight if one wishes to come up with an overarching framework to define this kind of phenomenon. Now virilocality has also traditionally functioned historically as a deterrent in women's progress in material means as well.

A well-known aphorism in India is educating daughters is like planting seeds in a neighbour's feet. The idea is that due to traditional Indian systems daughters invariably leave their natal homes and therefore are not able to contribute to her natal family in terms of physical labour or financial means. Therefore, giving them education is not really preferred. The World Bank in its voices of the poor volume of interviews repose a number of comments reflecting this view.

In the report we see families are dissuaded from educating girls and young women in some countries due to marriage system that places the daughter in the care of the husband's family after marriage. This causes parents to see female education as a waste of money since it is like investing in someone else's family. As this is explained in Pakistan, daughters are destined to be other people's property.

It is wasting money to educate girls because they will marry and join another family; this has also been said in the case of South Africa. Dyson and Moore in 1983 suggests that in Northern

India because women are out marriers parents can expect little help from their daughters after marriage, whereas sons will remain at home. Moreover, as we have seen in the case of dowry with marriage of daughters the ownership of considerable portion of the wealth or property owned by the daughter's natal family is then transferred to her affinal kin.

And the dowry is either invested in the husband's plans or channelized to the husband's sister's dowry. In this way both in terms of labour and ownership daughters are seen to be less valuable. The question remains what was the impact of these efforts? Geetanjali Gangoli provides a very comprehensive understanding of the legal impact on the issue of domestic violence on women in her study of the Lok Sabha debates.

That ranged between 1982 to 86. The section 498A of the Indian Penal Code criminalized domestic violence. This Act was passed in 1983. According to this section whoever being the husband or the relative of the husband of a woman subject such a woman to cruelty shall be punished with imprisonment for a term which may exceed to 3 years and shall also be liable to fine.

It defined cruelty as any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health both mental and physical of the woman or harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for property or valuable security or is on account of failure by her or any person related to her to meet such demand.

Now interestingly this law perceived domestic violence as a possibility only in the affinal home especially in the hands of the husband, it completely ruled out the incidents where single women would be facing violence within their natal homes. Geeta Mukherjee argued in our experience it is not necessary that this phenomenon of marital cruelty is only connected with dowry.

But with certain other things which are equally cruel leading to death. Secondly Geeta writes I think that it is not only a question of husband and wife. Take for example the wife of a brother. If the brother dies, the widow still remains within the family. This widow is harassed sometimes

so much that very often death takes place because of the harassment they should also be included in 498A.

The deliberate absence of single women highlights the discomfort of the dominant social structure to place a woman who is not tied by marriage; we can link this with Ambedkar's notion of the surplus woman. According to Ambedkar an endogamous circle is maintained through equal pairs of marriageable units in any society. Ambedkar notes that such parity is often difficult to achieve.

When faced with the death of one of the spouses such extraneous situations give rise to the surplus men and women. Now the term surplus literally meaning extra creates a unique problem in the casteist patriarchal system by disrupting the cycles of production and reproduction. Additionally surplus men and surplus women pose a threat to the endogamous constitution of the caste system by creating the possibility of choosing a partner outside their caste.

Ambedkar points out that each caste resolves this problem by opting for child marriage in case of surplus man and by imposing stringent customs of sati or burning of widow or enforced widowhood on surplus women. I have mentioned this aspect in detail in the earlier lecture. If you have any confusion, you can go back to it and watch the video once again. Now the domestic violence Act of 2005 expanded the scope of its definition by mentioning the Act is meant to protect the rights of women who are victims of violence of any kind occurring within the domestic sphere.

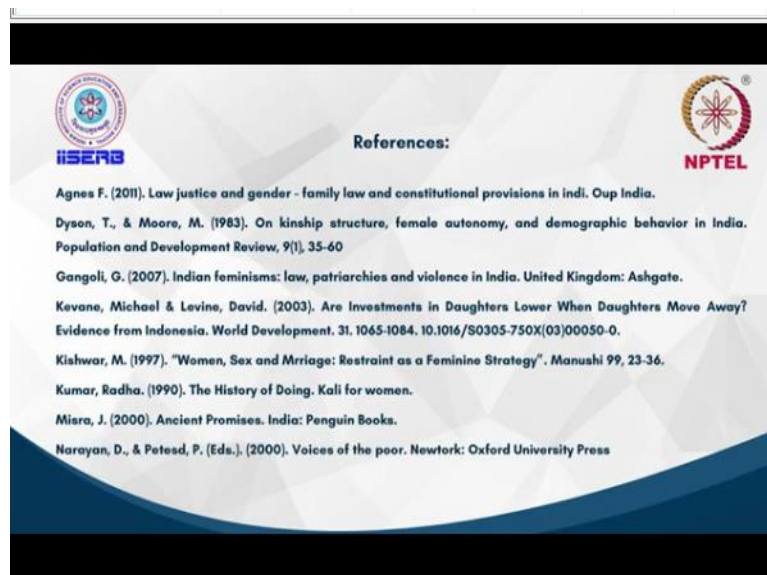
And the domestic relationships to prevent the victims from further domestic violence. To give effect to the provisions of the CEDAW and to provide for protection orders, residence orders, monetary relief and other matters referred to and for matters connected therewith or incidental thereto. It also includes various forms of domestic violence in its purview such as physical, mental, emotional, financial and sexual abuse against women in domestic relationships.

Now let us summarize today's lecture. Today we talked about domestic violence meted out to women. It is important to remember that violence against women in the domestic sphere does not arise from dowry alone. Therefore, it is necessary to dissociate dowry deaths, from domestic violence at large. In fact, dowry becomes one component of domestic violence.

Moreover, the scope of anti-dowry deaths includes only young married women within its judicial scope.

What about older married women, single women widows and unmarried women, what to do about them, do they not get oppressed in their domestic spheres? Feminist organizations have raised these important questions which led to the legal recognition of domestic violence in a larger spectrum and not reduce it to dowry alone. In the next lecture we will talk about more of such different intersectional forms of violence. Thank you.

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